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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/212,757 12/16/98 BEGHTOL

J NC13803

BRIAN T RIVERS
NOKIA INC
6000 CONNECTION DRIVE
IRVING TX 75039

TM02/1108

EXAMINER

TRAN. P.	ART UNIT	PAPER NUMBER
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2684

DATE MAILED:

11/08/00

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/212,757

Applicant(s)
Beghtol et al.

Examiner
Pablo Tran

Group Art Unit
2684



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-15 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-15 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2, 3

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1, 3-5, 7-10, and 12-15 are rejected under 35 U.S.C. 102(e) as being anticipated by *Chin* (5,661,788).

As per claims 1 and 5, *Chin* disclosed a method of rejecting an incoming call to a mobile phone, said mobile phone having a transceiver circuit for transmitting and receiving transmissions to and from a remote transceiver, said mobile phone in communication with a first calling station via the remote transceiver, said method comprising the steps of:

- receiving at the mobile phone, a transmission from the remote transceiver signifying that there is an incoming call (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67);
- determining at the mobile phone if said incoming call is to be rejected (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67); and

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- transmitting from the mobile phone a rejection message to the remote transceiver if a determination is made during said step of determining that said incoming call is to be rejected, said rejection message comprising at least one information element indicating that said incoming call is to be rejected (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67).

As per claims 3, 7, and 12, *Chin* further disclosed wherein said transmission includes a first parameter, said control processor comprises:

- memory for storing a second parameter (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67);
- determiner coupled to said memory and said transceiver, said determiner for comparing at least a portion of the first parameter with said second parameter, wherein if at least a portion of the first parameter matches said second parameter, said determiner outputs a rejection message to said transceiver for transmission to said remote transceiver (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67).

As per claim 4 and 8, *Chin* further disclosed wherein the step of transmitting comprises the step of suppressing transmission of a rejection message to the remote transceiver if a determination is made during said step of determining that said incoming call is to be rejected (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67).

As per claim 9, *Chin* further disclosed wherein the operation of transmitting further comprises notifying the user of said incoming call to be rejected (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67).

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As per claim 10, *Chin* further disclosed in a mobile communications device, apparatus for selectable rejecting an incoming call, said apparatus comprising:

- a transceiver operable to send and receive transmissions to and from a remote transceiver, wherein said transceiver for receiving a transmission signifies that an incoming call is being attempted (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67); and
- control processor coupled to said transceiver, said control processor for determining if said incoming call is to be rejected, and if it is, said control processor outputting a rejection message to said transceiver for transmission to said remote transceiver, wherein said rejection message comprises at least one information element indicating that said incoming call is to be rejected (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67).

As per claim 13, *Chin* further disclosed a method of selectable terminating a transmission transmitted from a base station, said base station having a transceiver circuit for transmitting and receiving transmissions to and from at least a first remote station and a second remote station, said method comprising the steps of:

- receiving at the base station a first transmission from the first remote station (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67);
- transmitting from the base station a second transmission to the second remote station (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67);
- receiving at the base station a third transmission from the second remote station, said third transmission having a parameter (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67);

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- detecting at the base station if said parameter has at least one information element indicating that said second transmission is to be terminated (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67); and

- terminating at the base station said second transmission, if it is determined during said step of detecting that said second transmission is to be terminated (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67).

As per claim 14, *Chin* further disclosed wherein the base station further comprises a message controller, said operation of terminating further comprising the step of transferring control of said first transmission to the message controller if it is determined at said step of detecting that said second transmission is to be terminated (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67).

As per claim 15, *Chin* further disclosed a method for selectable rejecting a transmission in a cellular communications system, said cellular communications system having a base station capable of two-way communication over a radio frequency link with a remote station, said method comprising the steps of:

- transmitting a first transmission from the base station to the remote station (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67);

- determining at the remote station if said first transmission is to be rejected (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67);

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- transmitting a rejection message from the remote station to the base station if it is determined at said step of determining that said first transmission is to be rejected (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67);
- receiving said rejection message at the base station (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67);
- detecting whether said rejection messages has at least one information element indicating that said first transmission is to be terminated (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67); and
- terminating at the base station said first transmission if it is determined at said step of detecting that said first transmission is to be terminated (abstract, fig. 2, col. 3/ln. 4-col. Col. 4/ln. 67).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 6, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Chin* (5,661,788). in view of *Brennan* (5,903,628).

As per claims 2, 6, and 11, *Chin* disclosed wherein said control processor comprises:

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Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

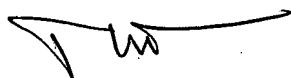
Sheerin (5,748,709), Borland (6,122,347), Matsuda et al. (5,835,582), Lappen et al. (5,930,351), Kuechler et al. (6,108,630), Bleile (6,044,148), 5,956,632) disclose telephone call alerting system.

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Pablo Tran whose telephone number is (703)308-7941. The fax number for this Group is (703)308-6306 and (703)308-6296.


Any inquiry of a general nature to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)305-3900.

November 4, 2000

Pablo Tran



Examiner, Art Unit 2684



THANH CONG LE
PRIMARY EXAMINER
TC2600